

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

CHUBB LLOYDS INS. CO. OF TEXAS, <i>Plaintiff,</i>	§ § § § § § §	CIVIL ACTION H-05-2288
vs.		
ALBERT AND TILDA MORRIS <i>Defendants.</i>		

**ORDER**

Before the court is an objection by defendants Albert and Tilda Morris to plaintiff Chubb Lloyds Insurance Company of Texas's Rule 26 initial disclosures (Dkt. 19), which the court will treat as a motion to compel. This motion has been referred to this court for disposition. For the following reasons, the motion is denied.


Chubb Lloyds has brought a declaratory judgment on an insurance policy with the Morrisses. In turn, the Morrisses filed a second civil action against Chubb Lloyds, based on the insurance company's denial of the same policy. Chubb Lloyds filed initial disclosures pursuant to Federal Rule of Civil Procedure 26 in both cases, which have since been consolidated. The Morrisses object to the adequacy of the Rule 26 disclosures, maintaining that Rule 26 requires Chubb Lloyds to provide "all information and documents made [the] basis of their refusal to pay a covered loss, as well as their grounds for going to federal court where they do not belong."<sup>1</sup>

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<sup>1</sup> Dkt. 19.

The Morrisses misunderstand the nature and obligations of Rule 26. Chubb Lloyds is not required to produce all information and documents it has in its initial disclosures. Under Federal Rule of Civil Procedure 26, a party may satisfy its initial disclosure obligation by describing by category those documents that may be used to support claims or defenses; it need not necessarily produce all such documents contemporaneously with the initial disclosures. *See* FED. R. CIV. P. 26(a)(1)(B); *see also* 8 C. WRIGHT & A. MILLER, FEDERAL PRACTICE AND PROCEDURE § 2053 (2d 1994) (explaining that a listing by category satisfies the initial disclosure rule). Accordingly, the motion to compel is denied.

Signed on March 2, 2006, at Houston, Texas.

  
Stephen Wm Smith  
United States Magistrate Judge